

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:07CR405 HEA
)	
ROBERT D. HARTMANN,)	
)	
Defendant.)	

**GOVERNMENT'S RESPONSE TO DEFENDANT'S MOTION FOR
CONTINUANCE OF TRIAL SETTING**

COMES NOW the United States of America, the plaintiff herein, by Catherine L. Hanaway, the United States Attorney for the Eastern District of Missouri, and James E. Crowe, Jr., an Assistant United States Attorney for said District, and, for the reasons set forth below, opposes the defendant's motion to continue the trial setting of April 20, 2009, in this case:

On December 22, 2008, this Court set the trial in the above-captioned case for April 20, 2009. This is a complex case which will take at least two weeks to try. This case has been pending since July, 2007, and was understandably continued several times as a result of defense counsel's involvement in an unusually difficult case in the Central District of California. Now two additional cases have been set forth as obstacles to preparation by the defense in this case. The trial setting in at least one of those cases— United States v. Meador, No. 06Cr 134, April 6, 2009 in Cape Girardeau— was established by an order of Judge Catherine Perry entered on June 30, 2008. Accordingly, that trial date has been well known by the attorneys in that case for a long time. In our view, that setting should not require a continuance here. We do not

underestimate the difficulty of preparing for trial in the instant case, but we believe that a further continuance will only run into more schedule conflicts.

Of course, we are available at the Court's convenience to discuss this matter.

WHEREFORE, the defendant's motion for continuance should be denied.

Respectfully submitted,

CATHERINE L. HANAWAY
United States Attorney

/s/ James E. Crowe Jr.
JAMES E. CROWE, JR., #6674
Assistant United States Attorney
111 South 10th Street, Room 20.333
St. Louis, Missouri 63102
(314) 539-2200

CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2009, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Burton H. Shostak
Grant Shostak
Moline, Shostak & Mehan, LLC
8015 Forsyth Blvd.
St. Louis, MO 63105

/s/ James E. Crowe, Jr.
Assistant United States Attorney